

JUL 24 2006

400 Garden City Plaza - Suite 300
Garden City, New York 11530
(516) 742-4343 - Telephone
(516) 742-4366 - Facsimile
e-mail: intprop@ssmp.com

**SCULLY, SCOTT, MURPHY
& PRESSER, P.C.**

Fax

To: Examiner Patrick A. Darno
GROUP ART UNIT: 2163

From: Steven Fischman, Esq.

Fax: (571) 273-8300

Pages: 17 (including fax cover sheet)

Phone:

Date: July 24, 2006

Re: Russel L. Lewis
U.S. Serial No. 10/619,634

CC:

Docket: TUC920030028US1 (16472)

AMENDMENT AND RESPONSE UNDER 37 C.F.R. §1.116

COMMENTS:

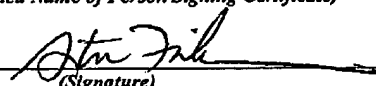
Transmitted herewith are the following:

1. Amendment Transmittal letter (in duplicate)
2. Amendment and Response Under 37 C.F.R. §1.116 (12 pages)
3. Certificate of Transmission by Facsimile, dated July 24, 2006 (in duplicate)
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JUL 24 2006


CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8) Applicant(s): Russel L. Lewis			Docket No. TUC920030028US1	
Application No. 10/619,634	Filing Date July 15, 2003	Examiner Patrick A. Darno	Group Art Unit 2163	
Invention: DEPTH COUNTER USED TO REDUCE NUMBER OF ITEMS TO CONSIDER FOR LOOP DETECTION IN A REFERENCE-COUNTING GARBAGE COLLECTOR				
<p>I hereby certify that this <u>AMENDMENT AND RESPONSE UNDER 37 C.F.R. §1.116</u> (Identify type of correspondence)</p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(571) 273-8300</u>)</p> <p>on <u>July 24, 2006</u> (Date)</p> <p style="text-align: right;">Steven Fischman, Esq. (Typed or Printed Name of Person Signing Certificate)</p> <p style="text-align: right;"> (Signature)</p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>				

P18/REV02


CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8) Applicant(s): Russel L. Lewis			Docket No. TUC920030028US1	
Application No. 10/619,634	Filing Date July 15, 2003	Examiner Patrick A. Darno	Group Art Unit 2163	
Invention: DEPTH COUNTER USED TO REDUCE NUMBER OF ITEMS TO CONSIDER FOR LOOP DETECTION IN A REFERENCE-COUNTING GARBAGE COLLECTOR				
<p>I hereby certify that this <u>AMENDMENT AND RESPONSE UNDER 37 C.F.R. §1.116</u> (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(571) 273-8300</u> on <u>July 24, 2006</u> (Date)</p> <p style="text-align: right;"><u>Steven Fischman, Esq.</u> (Typed or Printed Name of Person Signing Certificate)  (Signature)</p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>				

P18/REV02

JUL 24 2006

AMENDMENT TRANSMITTAL LETTER (Large Entity)					Docket No. TUC920030028US1	
Applicant(s): Russel L. Lewis						
Application No. 10/619,634	Filing Date July 15, 2003	Examiner Patrick A. Darno	Customer No. 23389	Group Art Unit 2163	Confirmation No. 1229	
Invention: DEPTH COUNTER USED TO REDUCE NUMBER OF ITEMS TO CONSIDER FOR LOOP DETECTION IN A REFERENCE-COUNTING GARBAGE COLLECTOR						
<u>COMMISSIONER FOR PATENTS:</u>						
Transmitted herewith is an amendment in the above-identified application.						
The fee has been calculated and is transmitted as shown below.						
CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	17 -	17 =	0	x \$50.00	\$0.00	
INDEP. CLAIMS	3 -	3 =	0	x \$200.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00	
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input checked="" type="checkbox"/> Please charge Deposit Account No. 50-0510/IBM in the amount of \$0.00 <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
 Signature			Dated: July 24, 2006			
Steven Fischman, Esq. Registration No.: 34, 594 SCULLY, SCOTT, MURPHY & PRESSER, P.C. 400 Garden City Plaza- Suite 300 Garden City, New York 11530 (516) 742- 4343			I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ (Date) _____ Signature of Person Mailing Correspondence _____ Typed or Printed Name of Person Mailing Correspondence			
CC:						

P111LARGE/REV09

AMENDMENT TRANSMITTAL LETTER (Large Entity)				Docket No. TUC920030028US1	
Applicant(s): Russel L. Lewis					
Application No. 10/619,634	Filing Date July 15, 2003	Examiner Patrick A. Darno	Customer No. 23389	Group Art Unit 2163	Confirmation No. 1229
Invention: DEPTH COUNTER USED TO REDUCE NUMBER OF ITEMS TO CONSIDER FOR LOOP DETECTION IN A REFERENCE-COUNTING GARBAGE COLLECTOR					
<u>COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	17 -	17 =	0	x \$50.00	\$0.00
INDEP. CLAIMS	3 -	3 =	0	x \$200.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input checked="" type="checkbox"/> Please charge Deposit Account No. 50-0510/IBM in the amount of \$0.00 <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
 Signature			Dated: July 24, 2006		
Steven Fischman, Esq. Registration No.: 34, 594 SCULLY, SCOTT, MURPHY & PRESSER, P.C. 400 Garden City Plaza- Suite 300 Garden City, New York 11530 (516) 742- 4343			<div style="border: 1px solid black; padding: 5px;"><p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____</p><p style="text-align:center">(Date)</p><p style="text-align:center">_____ Signature of Person Mailing Correspondence</p><p style="text-align:center">_____ Typed or Printed Name of Person Mailing Correspondence</p></div>		
CC:					

P11LARGE/REV09

JUL 24 2006

**EXPEDITED PROCEDURE REQUESTED
- 37 C.F.R. §1.116 -
EXAMINING GROUP 2163****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Applicant:** Russell L. Lewis**Examiner:** Patrick A. Darno**Serial No.:** 10/619,634**Art Unit:** 2163**Filed:** 7/15/2003**Docket:** TUC920030028US1 (16472)**For:** DEPTH COUNTER USED TO REDUCE
NUMBER OF ITEMS TO CONSIDER
FOR LOOP DETECTION IN A
REFERENCE-COUNTING GARBAGE
COLLECTOR **Dated:** July 24, 2006**Conf. No.:** 1229Mail Stop: After-Final
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**AMENDMENT AND RESPONSE UNDER 37 C.F.R. §1.116**

Sir:

This document is submitted in response to the Final Office Action mailed May 22, 2006.

No new matter has been introduced.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Dated: July 24, 2006
Steven Fischman